

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
FEBRUARY 15, 2016

I. CALL TO ORDER

LaMourie called the meeting of the Grand Haven Charter Township Planning Commission to order at 7:32 p.m.

II. ROLL CALL

Members present: LaMourie, Robertson, Kieft, Taylor, Reenders, Gignac, and Wilson

Members absent: Kantrovich, Cousins

Also present: Fedewa and Attorney Bultje

Without objection, LaMourie instructed Fedewa to record the minutes.

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES

Without objection, the minutes of the January 19, 2016 meeting were approved.

V. CORRESPONDENCE – None

VI. PUBLIC COMMENTS ON AGENDA ITEMS ONLY – None

VII. PUBLIC HEARING

A. Planned Unit Development – Stonewater

Fedewa provided an overview through a memorandum dated February 11th.

Representative Dale Kraker, developer and Rick Pulaski, engineer from Nederveld were present and available to answer questions:

- Rick Pulaski, engineer from Nederveld:
 - Provided a description of the project, and an historical review of the previously approved 170 unit condominium PUD.
 - If all density bonuses were utilized the development could have up to 214 units.
 - Project is a long-term development project, and believes each phase is an appropriate addition, and one the market can absorb.

- Gave an overview of the PUD Intent and Objectives, and how it relates to the proposed project.
 - Described each open space area, and any amenities it may offer.
 - Indicated the proposed condominiums are very typical designs found throughout Michigan.
 - Described the differences between a platted lot and condominium unit and how each area is measured.
- Dale Kraker, developer:
 - Only two lots within the platted subdivision are causing the smallest departure requests.
 - Requested clarification on the sidewalk escrow language the Township requested to be added to the Master Deed, Bylaws, and Declaration of Covenants.
 - Provided a description on the two proposed associations for the platted subdivision and condominiums.
 - Off-street parking spaces offered within the condominiums are meant to accommodate overflow parking for guests.
 - Indicated the requested setbacks are greater than what would likely be used. The request is to allow buyers the option to customize the footprint of their homes.

After the applicant's presentation LaMourie opened the public hearing at 7:55 p.m.

- Charles Schmidt – 15830 Lincoln Street:
 - Questions whether or not Lincoln Street can support the additional traffic this development will create.
- Kip Nadeau – 15600 Lincoln Street:
 - Does not understand how the land surrounding the proposed development could be master planned for Agricultural Preserve if it is only comprised of trees and lacks active farming.

LaMourie closed the public hearing at 7:58 p.m.

VIII. OLD BUSINESS

A. Planned Unit Development – Stonewater

The application was discussed by Commissioners and focused on:

- Adding more traffic to Lincoln Street is not desirable. Property owners along Lincoln Street did not anticipate the influx of new traffic that is occurring by way of new development and the M-231 Bypass.
- Utilizing national demographics of number of children per household—at capacity this development could result in enough children to require the construction of another school. Uncertain if the school district is prepared for that many additional children to enter the school system.
- Current request of 184 units is 14 more units than was previously approved in 2005.
- Requested staff explain the decision-making process behind the requirement of stub streets.
 - There are two reasons staff and the OCRC support the stub streets. First, the Tree Preservation Agreement with the State of Michigan can be voided if the signatory repays the tax benefits that were received. Second, the Township can amend the Future Land Use Map at any time.
- Questioned why Gardenton Court is proposed as a private road. Per staff, the OCRC was requiring this street to connect to Manchester Drive. By proposing the street as a private cul-de-sac the developer is no longer required to connect to Manchester Drive.
- Discussed the different methods of calculating condominium lot sizes.
- Uncertain if the proposed driveway lengths within the condominium area can accommodate two vehicles and not obstruct the sidewalk.
- Concerned about the proposed departures for lot size and setbacks within the condominium area. The requests are much greater than the Township has approved in the past. Could set a new precedence. Comparisons were made to departures approved for other developments.
 - Specifically, there is a concern if lot sizes are too small a situation similar to that in Forest Park East No. 5 and No. 6 could occur where some building envelopes were too small and unable to accommodate the required minimum floor area.

Motion by Kieft, supported by Robertson, to **table** the Stonewater PUD application, and request the applicant consider revising the plans based on the concerns surrounding the departure requests. **Which motion carried unanimously.**

B. Planned Unit Development – Speedway & North Star Commercial

Wilson recused himself due to a conflict of interest – represents North Star Commercial as the Phase II developer of the PUD application.

Fedewa provided an overview through a memorandum dated February 11th.

Representatives Michael Bergman, developer and Mandy Gauss, engineer from CESO were present and available to answer questions:

- Mandy Gauss, engineer from CESO provided an in depth review of the proposed modifications to Hayes Street, and the communication that has transpired between the Ottawa County Road Commission and the Michigan Department of Transportation.

The application was discussed by Commissioners and focused on:

- Questioned if the driveway width on Hayes Street was acceptable.
- Requested staff describe the requested screening waiver:
 - Section 20.11.5 of the Zoning Ordinance requires a screen for residentially zoned parcels adjacent to the rear or interior lot line. The Ordinance allows the Planning Commission to grant a waiver of this requirement if the setback requirement is exceeded. However, the waiver ends whenever a structure is located within the required setback.

Motion by Robertson, supported by Gignac, to recommend to the Township Board **approval with conditions** of the Speedway, North Star Commercial, and Alice Bottje Planned Unit Development. This is based on the application meeting the requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance and Master Plan. The motion is subject to, and incorporates, the following report. Approval shall be conditioned upon:

1. Approval and compliance with all requirements set forth by the DEQ, OCWRC, and OCRC. No building permits shall be issued until all permits have been obtained.
2. The legal descriptions of the PUD boundaries shall be finalized, thus, permitting the finalization of the land division application. This includes the necessary title conveyances.
3. The Declaration of Restrictions and Easements shall be reviewed, and approved by Township Attorney Bultje. The Developers shall submit a copy of the document recorded at the Ottawa County Register of Deeds. No building permits shall be issued until the condition is met.

4. The Developers shall enter into a PUD Contract with the Township. The Contract shall be reviewed and approved by the Township Board prior to the issuance of building permits.
5. The Developers shall enter into a Special Assessment Private Road Maintenance Agreement with the Township. The Agreement shall be reviewed and approved by the Township Board prior to the issuance of building permits.
6. Applicants shall supply documentation that confirms the vegetation proposed to be planted in the wetland is appropriately rated (*i.e., native vegetation suitable to thrive in a wetland environment*).
7. Exterior lighting (*noted as S4 on the photometric plan*) shall be fully recessed.
8. Luminaire Numbers 11, 12, 13, 15, and 17 (*as described on page 1 of 5 of the photometric plan*) shall include side shielding toward the property line to meet the Section 20A.8.1 Exemption 3 regulations.

REPORT

Pursuant to the provisions of the Grand Haven Charter Township (the “Township”) Zoning Ordinance (the “Zoning Ordinance”), the following report of the Grand Haven Charter Township Planning Commission (the “Planning Commission”) concerning an application by Speedway LLC, North Star Commercial, and Alice Bottje (the “Developers”) for approval of a Planned Unit Development (the “Project” or the “PUD”).

The Project will consist of two phases. The first phase including a Speedway gas station and convenience store with auto and commercial fueling canopies. The second phase will be future commercial and retail development. The Project as recommended for approval is shown on a final site plans, last revised 2/8/2016 (the “Final Site Plan”), presently on file with the Township.

The purpose of this report is to state the recommendation of the Planning Commission concerning the Project, the basis for the Planning Commission’s recommendation, and the Planning Commission’s recommendation that the Developers PUD be approved as outlined in the above motion. The Developers shall comply with all of the documentation submitted to the Township for this Project. In recommending the approval of the proposed PUD application, the Planning Commission makes the following findings pursuant to Section 17.04.3 of the Zoning Ordinance:

1. The Project meets the site plan review standards of Section 23.06 of the Zoning Ordinance. Specifically, pursuant to Section 23.06.7, the Planning Commission finds as follows:
 - A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site take into account topography, size of the

property, the uses on adjoining property and the relationship and size of buildings to the site.

- B. The site will be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.
- C. Safe, convenient, uncontested, and well defined vehicular and pedestrian circulation is provided for ingress/egress points and within the site. Drives, streets and other circulation routes are designed to promote safe and efficient traffic operations within the site and at ingress/egress points.
- D. The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area are planned to provide a safe and efficient circulation system for traffic within the township.
- E. Removal or alterations of significant natural features are restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The Planning Commission has required that landscaping, buffers, and/or greenbelts be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.
- F. Areas of natural drainage such as swales, wetlands, ponds, or swamps are protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.
- G. The site plans provide reasonable visual and sound privacy for all dwelling units located therein and adjacent thereto. Landscaping shall be used, as appropriate, to accomplish these purposes.
- H. All buildings and groups of buildings are arranged so as to permit necessary emergency vehicle access as requested by the fire department.
- I. All streets and driveways are developed in accordance with the Ottawa County Road Commission specifications, as appropriate.
- J. Appropriate measures have been taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions have been made to accommodate storm water, prevent erosion and the formation of dust.
- K. Exterior lighting is arranged so that it is deflected away from adjacent properties and so it does not interfere with the vision of motorists along adjacent streets, and consists of sharp cut-off fixtures.
- L. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public streets, are screened.

- M. Entrances and exits are provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site.
 - N. The site plans conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances.
 - O. The general purposes and spirit of this Ordinance and the Master Plan of the Township are maintained.
2. The Planning Commission finds the Project meets the intent for a PUD, as described in Section 17.01.3 of the Zoning Ordinance. By approving this Project as a PUD, the Township has been able to negotiate various amenities and design characteristics as well as additional restrictions with the Developers, which the Township would not have been able to negotiate if the PUD Chapter of the Zoning Ordinance was not used. The Developers were granted the following departures from the zoning ordinance based on the defined benefits received by the Township:
- A. The Commission finds the combination of the parking study provided by the applicant, plus the possibility of disrupting the sensitive landscape if certain spaces were deferred does meet the requirements set forth in Section 15A.10.10 of the Zoning Ordinance. Therefore the Planning Commission is able to justify the requested 28 parking spaces.
 - B. The Commission finds the statement of purpose for the Overlay Zone (Section 15A.01) is to, “provide architectural and site design standards that are more demanding than required elsewhere in the Township in order to promote harmonious development and complement the natural characteristics in the western sections of the Township.” The spirit and emphasis of this Chapter is aesthetics, therefore, the Commission finds the corbels should be kept, which in turn justifies the request for the increased canopy height of 20’6”.
 - C. The Commission finds the wetland location precluded the applicant from maximizing the signage that is permitted under Section 24.13 of the Zoning Ordinance. The requested size is commensurate with a freestanding sign, the proposed location is setback farther than required, and the request exceeds the requirements of the Clear Vision Ordinance. Based on these conditions, the Commission is able to justify the requested departure.
 - D. The Commission finds the request to modify the wall sign/manual message board composition and justify a second message board for the rear wall is reasonable and is able to justify the request, so long as no other wall signs are permitted. Furthermore, the proposed configuration and design is significantly less than what is permitted by Chapter 24 of the Zoning Ordinance. This justification will ensure the aesthetics gained by the US-31 Overlay Zone are sustained because the three potential wall signs will not be allowed, and therefore, the building materials will remain visible.
3. Compared to what could have been constructed by right, the Project has been designed to accomplish the following objectives from Section 17.01.4 of the Zoning Ordinance:

- A. The Project will encourage the use of land in accordance with its natural character and adaptability;
 - B. The Project will promote the conservation of natural features and resources through the preservation of required open space;
 - C. The Project will promote innovation in land use planning and development;
 - D. The Project will promote the enhancement of housing and traffic circulation for the residents of the Township;
 - E. The Project will promote greater compatibility of design and better use between neighboring properties;
 - F. The Project will promote more economical and efficient use of the land while providing harmonious variety of housing choices; and
 - G. The Project will promote the preservation of open space.
4. The Project meets the following qualification requirements of Section 17.02 of the Zoning Ordinance:
- A. The Project meets the minimum size of five (5) acres of contiguous land.
 - B. The Project exhibits significant natural features encompassing more than 25% of the land area, which will be preserved as a result of the PUD plan.
 - C. The PUD design substantially moves forward the Intent and Objectives of Section 17.01 of the Zoning Ordinance.
5. The Planning Commission also finds the Project complies with the general PUD Design Considerations of Section 17.05 of the Zoning Ordinance:
- A. The storm water management system for the Project and the drainage facilities will properly accommodate storm water on the site, will prevent run off to adjacent properties, and are consistent with the Township's groundwater protection strategies.
 - B. The Project will not interfere with or unduly burden the water supply facilities, the sewage collection and disposal systems, or other public services such as school facilities, park and recreation facilities, etc.
 - C. Utility services within the Project shall be underground. This includes but is not limited to electricity, gas lines, telephone, cable television, public water and sanitary sewer.
 - D. The internal road system in the Project is designed to limit destruction of existing natural vegetation and to decrease the possibility of erosion.
 - E. Vehicular circulation, traffic and parking areas have been planned and located to minimize effects on occupants and users of the Project and to minimize hazards to adjacent properties and roadways.
 - F. Parking requirements for each use have been determined to be in accordance with

Chapter 24 (Parking, Loading Space, and Signs).

- G. Street lighting will be installed in the same manner as required under the Township's Subdivision Control Ordinance.
- H. Buildings in the Project have been sited to protect natural resources. Natural features such as natural grade, trees, vegetation, water bodies and others have been incorporated into the Final Site Plan.
- I. The predominant building materials have been found to be those characteristic of Grand Haven Charter Township such as brick, wood, native stone and tinted/textured concrete masonry units and/or glass products.
- J. Landscaping, natural features, open space and other site amenities have been located in the Project to be convenient for occupants of, and visitors to, the PUD.
- K. The Project is reasonably compatible with the natural environment of the site and the adjacent premises.
- L. The Project will not unduly interfere with the provision of adequate light or air, nor will it overcrowd land or cause an unreasonably severe concentration of population.
- M. Exterior lighting within the Project complies with Chapter 20A for an LZ 3 zone.
- N. The Project will not have a substantially detrimental effect upon or substantially impair the value of neighborhood property, as long as all of the standards and conditions of this approval of the Project are satisfied.
- O. The Project is in compliance with all applicable Federal, State, County, and local laws and regulations. Any other permits for development that may be required by other agencies shall be available to the Township Board before construction is commenced.
- P. The Project meets the access provision regulations.
- Q. The driveways providing access to corner lots shall gain access from the lesser traveled of the two intersecting streets.
- R. The Project satisfies the minimum open space of 25% required by the Zoning Ordinance.
- S. The open space in the Project is large enough and properly dimensioned to contribute to the purpose and objectives of the PUD.
- T. The open space in the Project consists of contiguous land area which is restricted to non-development uses.
- U. The open space shall remain under common ownership or control.
- V. The open space shall be set aside by a means of conveyance approved by the Township Board, which conveyance satisfies the requirements of Section 17.05.5.G of the Zoning Ordinance.

- W. The Project is consistent with the goals and objectives of the Master Land Use Plan. Specifically, it is consistent with the Master Plan designation of the property in question.
6. The Planning Commission also finds the Project complies with the US-31 and M-45 Area Overlay Zone findings and statement of purpose found in Section 15A.01 of the Zoning Ordinance:
- A. Accommodates a variety of uses permitted by the underlying zoning, but ensure such uses are designed to achieve an attractive built and natural environment.
 - B. Provides architectural and site design standards that are more demanding than required elsewhere in the Township in order to promote harmonious development and complement the natural characteristics in the western sections of the Township.
 - C. Promotes public safety and efficient flow of vehicular traffic by minimizing conflicts from turning movements resulting from the proliferation of unnecessary curb cuts and driveways.
 - D. Ensures safe access by emergency vehicles.
 - E. Encourages efficient flow of traffic by minimizing the disruption and conflicts between through traffic and turning movements.
 - F. Preserve the capacity along US-31/M-45 and other roads in the Overlay Zone by limiting and controlling the number and location of driveways, and requiring alternate means of access through shared driveways, service drives, and access via cross streets.
 - G. Reduces the number and severity of crashes by improving traffic operations and safety.
 - H. Requires coordinated access among adjacent lands where possible.
 - I. Provides landowners with reasonable access, although the access may be restricted to a shared driveway, service drive, or via a side street, or the number and location of access points may not be the arrangement most desired by the landowner or applicant.
 - J. Requires demonstration that prior to approval of any land divisions, the resultant parcels is accessible through compliance with the access standards herein.
 - K. Preserves woodlands, view sheds, and other natural features along the corridor.
 - L. Ensures that distractions to motorists are minimized by avoiding blight and clutter while providing property owners and businesses with appropriate design flexibility and visibility.
 - M. Implements the goals expressed in the US-31/M-45 Corridor Study.
 - N. Establishes uniform standards to ensure fair and equal application.

- O. Addresses situations where existing development within the Overlay Zone does not conform to the standards of this chapter.
- P. Promotes a more coordinated development review process with the Michigan Department of Transportation and the Ottawa County Road Commission.

C. Township Board Recommendation – Health Pointe PUD Amendment

LaMourie recused himself due to a conflict of interest. His employer is under contract to render architectural and engineering services for Spectrum Health.

Fedewa provided a review of the January 25th Township Board motion, and noted the Grand Haven Charter Township Planning Commission and City of Grand Haven Planning Commission will hold a joint meeting on February 24th to discuss the Robbins Road Sub-Area Plan and the Health Pointe Traffic Impact Study.

IX. NEW BUSINESS

A. Pre-Application Presentation – PUD Amendment – Golfview Subdivision

Fedewa provided an overview through a memorandum dated February 11th.

Representative David Stebbins from Redstone Homes was present and available to answer questions:

- Provided a brief review of the proposal.
- There is a better market for The Retreat style condominiums than single family dwellings in a platted subdivision.

The pre-application proposal was discussed by Commissioners and focused on:

- Concerned the property owners of the two improved lots in the Golfview Subdivision would object. May want to consider including them in the proposal.
- In favor of a “horse-shoe” driveway rather than four driveways on Lincoln Street.
- Recommend blending aesthetics of The Retreat Condominiums and the two existing dwellings in the Golfview Subdivision to promote cohesion.

X. REPORTS

A. Attorney Report – None

B. Staff Report

- Special Joint Meeting with City of Grand Haven Planning Commission on Feb 24th @ 7pm in the GHT Board Room.

- The Reenders Inc. development group has a purchase agreement for the Ottawa County Road Commission property, and propose a senior apartment complex and assisted living facility. Staff anticipates the developer to request an amendment to the draft Future Land Use Map from Medium Density Residential to High Density Residential. The developer is currently discussing the proposal with the Cottage Hills neighborhood in hopes of garnering support for the Map amendment and the development project.

C. Other – None

XI. EXTENDED PUBLIC COMMENTS ON NON-AGENDA ITEMS ONLY – None

XII. ADJOURNMENT

Without objection, the meeting adjourned at 9:27 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Stacey Fedewa". The signature is written in black ink and is positioned above the printed name.

Stacey Fedewa

Acting Recording Secretary